

## Message Text

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21

ORIGIN PM-04

INFO OCT-01 MC-02 L-03 SIG-02 AF-08 ARA-10 EA-09 EUR-12

NEA-10 PER-03 MMO-04 EB-07 TRSE-00 OMB-01 ABF-01

NSC-05 SP-02 SS-15 CIAE-00 INR-07 NSAE-00 H-02 AID-05

IGA-02 ISO-00 /115 R

DRAFTED BY PM/SAS:DJJAMES:RG

APPROVED BY PM:RAERICSON

DOD/DSAA - MR. LIGON

PM/MC - MR. ROBINSON

L/PM - MR. MICHEL

----- 022262

R 270352Z NOV 76

FM SECSTATE WASHDC

TO ALL DIPLOMATIC POSTS

INFO CINCPAC

JCS

SECDEF

USCINCEUR

USCINCSO

XMT AMEMBASSY BERLIN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY MOSCOW

USLO PEKING

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY VIENTIANE

AMEMBASSY WARSAW

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E.O. 11652: N/A

TAGS: MASS

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SUBJECT: REPORTING REQUIREMENT: SECTION 36(A)(7) OF

ARMS EXPORT CONTROL ACT.

REF: STATE 279635

1. PARA 3 REFTTEL STATED THAT THE DEPARTMENT WAS REQUESTING US FIRMS, THROUGH OFFICE OF MUNITIONS CONTROL, TO KEEP EMBASSIES INFORMED OF NUMBER OF AMCIT COMPANY PERSONNEL WHO WERE IN-COUNTRY AT END OF EACH CALENDAR QUARTER IN IMPLEMENTATION OF SALES AND COMMERCIAL EXPORTS UNDER AECA, I.E. AMCIT COMPANY PERSONNEL WHO ARE IN-COUNTRY TO IMPLEMENT AN FMS CONTRACT THAT HAS BEEN MADE UNDER AECA OR A COMMERCIAL SALE OF DEFENSE ARTICLES OR SERVICES LICENSED OR APPROVED BY THE DEPARTMENT'S OFFICE OF MUNITIONS CONTROL. THUS, COMPANY PERSONNEL WHOSE PRESENCE OVERSEAS IS SOLELY FOR PROMOTION (RATHER THAN IMPLEMENTATION) OF SALES OF DEFENSE ARTICLES AND SERVICES WOULD NOT BE REPORTED.

2. FOLLOWING IS TEXT OF RECENT MUNITIONS CONTROL NEWSLETTER SENT TO AMERICAN FIRMS REQUESTING THEM TO KEEP EMBASSY CONSULAR SECTIONS INFORMED OF COMPANY PERSONNEL:

QUOTE REPORTS CONCERNING AMERICAN CITIZENS EMPLOYED ABROAD

SECTION 36(A)(7) OF THE ARMS EXPORT CONTROL ACT (AECA) REQUIRES THE PRESIDENT TO INCLUDE IN QUARTERLY REPORTS TO CONGRESS AN ESTIMATE OF THE NUMBER OF UNITED STATES CITIZENS PRESENT IN EACH FOREIGN COUNTRY AT THE END OF EACH QUARTER FOR ASSIGNMENT IN IMPLEMENTATION OF SALES UNDER THE FOREIGN MILITARY SALES PROGRAM AND COMMERCIAL EXPORTS LICENSED OR APPROVED BY THE OFFICE OF MUNITIONS CONTROL.

THE DEPARTMENT OF STATE IS RESPONSIBLE FOR IMPLEMENTING THIS STATUTORY REQUIREMENT IN A WAY THAT WILL ENSURE ACCURATE AND TIMELY REPORTING TO CONGRESS. WE HAVE ASKED OUR EMBASSIES TO REPORT TO US AT THE END OF EACH QUARTER THE NAMES OF ALL U.S. FIRMS WHICH EMPLOY AMERICAN CITIZENS IN COUNTRY FOR THE PERFORMANCE OF FUNCTIONS UNDER FMS UNCLASSIFIED

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OR COMMERCIAL SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES, AND TO REPORT THE TOTAL NUMBER OF AMERICANS AS EMPLOYED BY EACH FIRM. IN ORDER TO AVOID UNNECESSARY COUNTING OF TRANSIENT PERSONNEL, ONLY INDIVIDUALS IN COUNTRY AT THE END OF EACH QUARTER WHOSE ASSIGNMENTS EXCEED SEVEN DAYS ARE INCLUDED.

QUARTERLY REPORTS FROM THE EMBASSIES, AS DESCRIBED ABOVE,

ARE INTENDED TO FULFILL THE STATUTORY REQUIREMENT WITH A MINIMUM OF ADMINISTRATIVE BURDEN. IN ORDER TO FACILITATE THIS PROCEDURE, WE ARE REQUESTING THE COOPERATION OF ALL CONCERNED U.S. FIRMS.

EACH AMERICAN FIRM SHOULD ARRANGE TO HAVE APPROPRIATE AMERICAN EMBASSIES INFORMED ON A QUARTERLY BASIS OF THE ESTIMATED NUMBER OF ITS U.S. CITIZEN EMPLOYEES SERVING ABOARD IN IMPLEMENTATION OF LICENSES ISSUED OR AGREEMENTS APPROVED BY THIS OFFICE. THESE ARRANGEMENTS SHOULD INSURE THAT END OF QUARTER PERSONNEL STRENGTHS WILL BE PROVIDED TO CONSULAR SECTIONS OF AMERICAN EMBASSIES DURING THE LAST SEVEN DAYS OF EACH FISCAL QUARTER. THE INFORMATION MAY BE PROVIDED TO CONSULAR SECTIONS ORALLY OR IN WRITING, WITH AN ORAL OR WRITTEN STATEMENT THAT IT IS BEING PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF THIS NEWSLETTER. WHILE WE RECOGNIZE THAT UNFORESEEN PROGRAM CHANGES, EMERGENCY REQUIREMENTS FOR ADDITIONAL TEMPORARY DUTY PERSONNEL, ETC., WILL CAUSE FLUCTUATIONS IN PERSONNEL STRENGTHS, ESTIMATES MUST TAKE THESE FACTORS INTO ACCOUNT IN ORDER THAT THEY WILL BE AS ACCURATE AS POSSIBLE. WE HOPE TO BE ABLE TO PROVIDE SUFFICIENTLY ACCURATE INFORMATION UNDER THESE INFORMAL ARRANGEMENTS SO THAT MORE DETAILED AND BURDENSOME IMPLEMENTING PROCEDURES WILL NOT BE NECESSARY.

THE FIRST SUBMISSIONS UNDER THESE ARRANGEMENTS ARE DUE BY THE END OF THE CURRENT QUARTER (DECEMBER 31, 1976) AND MAY BE MADE BY ANY AUTHORIZED IN COUNTRY REPRESENTATIVE.  
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3. EMBASSIES ARE ALSO REMINDED THAT IN REPORTS ON NUMBER OF USG PERSONNEL AS REQUESTED PARA 2 REFTEL ALL REPEAT  
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ALL USG PERSONNEL, MILITARY AND CIVILIAN (OTHER THAN LOCAL NATIONALS), ASSIGNED TO MAAGS, MILGRPS, AND ODCS AS THEIR PERMANENT DUTY STATION SHOULD BE REPORTED, AS SHOULD TDY PERSONNEL ASSIGNED TO SUCH UNITS FOR FMS BUSINESS REQUIRING THEIR PRESENCE IN COUNTRY FOR MORE THAN SEVEN DAYS.

4. IF EMBASSY'S INITIAL REPORTS WERE NOT IN ACCORDANCE WITH FOREGOING, A CORRECTED REPORT SHOULD BE SUBMITTED IMMEDIATELY.

5. THIS IS A JOINT STATE/DEFENSE MESSAGE. ROBINSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REPORTS, EMPLOYMENT, TEXT, MILITARY ASSISTANCE PROGRAMS, PUBLIC CORRESPONDENCE  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 NOV 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Drafter:** DJJAMES:RG  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN PM  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
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**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 02 AUG 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <02 AUG 2004 by castelsl>; APPROVED <01 DEC 2004 by powellba>  
**Review Markings:**

Margaret P. Grafeld  
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US Department of State  
EO Systematic Review  
04 MAY 2006

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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** REPORTING REQUIREMENT: SECTION 36(A)(7) OF ARMS EXPORT CONTROL ACT.  
**TAGS:** MASS, XX  
**To:** ALL POSTS  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006